

General Civil and Domestic Relations Case Filing Information Form

☐ Superior or ☐ State Court of _____ County

For Clerk Use Only

 Date Filed _____
 MM-DD-YYYY

Case Number _____

Plaintiff(s)

Last First Middle I. Suffix Prefix

Last First Middle I. Suffix Prefix

Last First Middle I. Suffix Prefix

Last First Middle I. Suffix Prefix

Defendant(s)

Last First Middle I. Suffix Prefix

Last First Middle I. Suffix Prefix

Last First Middle I. Suffix Prefix

Last First Middle I. Suffix Prefix

Plaintiff's Attorney _____

Bar Number _____

Self-Represented ☐

Check One Case Type in One Box

General Civil Cases

- ☐ Automobile Tort
☐ Civil Appeal
☐ Contract
☐ Garnishment
☐ General Tort
☐ Habeas Corpus
☐ Injunction/Mandamus/Other Writ
☐ Landlord/Tenant
☐ Medical Malpractice Tort
☐ Product Liability Tort
☐ Real Property
☐ Restraining Petition
☐ Other General Civil

Domestic Relations Cases

- ☐ Adoption
☐ Dissolution/Divorce/Separate Maintenance
☐ Family Violence Petition
☐ Paternity/Legitimation
☐ Support – IV-D
☐ Support – Private (non-IV-D)
☐ Other Domestic Relations

Post-Judgment – Check One Case Type

- ☐ Contempt
☐ Non-payment of child support, medical support, or alimony
☐ Modification
☐ Other/Administrative

- ☐ Check if the action is related to another action(s) pending or previously pending in this court involving some or all of the same parties, subject matter, or factual issues. If so, provide a case number for each.

Case Number _____

Case Number _____

- ☐ I hereby certify that the documents in this filing, including attachments and exhibits, satisfy the requirements for redaction of personal or confidential information in O.C.G.A. § 9-11-7.1.

- ☐ Is an interpreter needed in this case? If so, provide the language(s) required. _____
 Language(s) Required

- ☐ Do you or your client need any disability accommodations? If so, please describe the accommodation request.

**IN THE STATE COURT OF FULTON COUNTY
 STATE OF GEORGIA**

BENJAMIN W. KITCHEN,)	
)	
Plaintiff,)	CIVIL ACTION
)	FILE NO:
vs.)	
)	
BIKRAMJIT SINGH and A & G)	JURY TRIAL DEMANDED
CHEEMA TRANS, INC.)	
)	
Defendants.)	

COMPLAINT AND DEMAND FOR TRIAL BY JURY

COMES NOW Plaintiff Benjamin W. Kitchen, and states his complaint against Defendants,
 as follows:

PARTIES AND JURISDICTION

1.

Plaintiff, Benjamin W. Kitchen, (hereinafter “Plaintiff”) is a resident of Peachtree City, Georgia.

2.

Defendant Bikramjit Singh (hereinafter “Defendant”) is a citizen and resident of the State of California, whose last known residence is 1417 Lecourbie Coult, Modesto, California 95356 and Defendant may be served with process under any method called for by the Georgia Long-Arm Statute.

3.

Defendant A & G Cheema Trans, Inc. is a Georgia profit corporation and is subject to the jurisdiction of this Court, and can be served with process through its registered agent Bikramjit Singh, 4001 Ballen Court, Modesto, California 95356. Defendant may also be served with

process under any method called for by the Georgia Long-Arm Statute.

4.

Defendants Bikramjit Singh and A & G Cheema Trans, Inc. are joint tortfeasors and as such, venue as to both Defendants is proper in Fulton County, Georgia.

COUNT I – NEGLIGENCE OF DEFENDANT BIKRAMJIT SINGH

5.

Plaintiff realleges and incorporates herein by reference paragraphs 1 through 4 above as if they were fully restated verbatim.

6.

On December 17, 2021, Plaintiff Benjamin W. Kitchen was in his 2017 Mercedes Benz traveling in a prudent and careful manner north on I-285 in Fulton County, Georgia.

7.

At or about that same time, Defendant Bikramjit Singh was driving a 2019 Mack tractor/trailer owned by A & G Cheema Trans, Inc. and was also traveling north on I-285 when he negligently, recklessly, carelessly and unlawfully operated said vehicle so as to cause it to collide with the back of Plaintiff's vehicle.

8.

The Defendant Bikramjit Singh has a duty to act reasonably and use due care while driving on the roadway. Defendant Bikramjit Singh had a duty to pay attention to traffic, to maintain proper lookout, to obey the laws and rules of the State of Georgia.

9.

As a direct and proximate result of Defendant Bikramjit Singh, Plaintiff has suffered physical injuries and mental anguish.

10.

At all relevant times, Defendant Bikramjit Singh owed certain civil duties to Plaintiff.

Notwithstanding those duties, Defendant did violate them in the following particulars:

- a. In failing to make reasonable and proper observations while driving the 2019 Mack tractor/trailer; or, if reasonable and proper observations were made, failing to act thereon;
- b. In failing to make timely and proper application of her brakes in violation of O.C.G.A. § 40-6-241;
- c. In failing to observe or undertake the necessary precautions to keep the 2019 Mack tractor/trailer from colliding with the 2017 Mercedes Benz in violation of O.C.G.A. § 40-6-390;
- d. In driving the 2019 Mack tractor/trailer without due caution and circumspection and in a manner so as to endanger the person and/or property of others in the immediate vicinity in violation of O.C.G.A. § 40-6-241;
- e. In driving the 2019 Mack tractor/trailer in reckless disregard for the safety of persons and/or property in violation of O.C.G.A. § 40-6-390; and
- f. In committing other negligent and reckless acts and omissions as may be shown by the evidence and proven at trial.

11.

Defendant Bikramjit Singh's violations of the aforementioned duties of care constitute negligence *per se*.

12.

As a direct and proximate result of the aforesaid negligence and breaches of duty by Defendant Bikramjit Singh, Plaintiff has suffered significant injuries, medical expenses, and damages. These damages include emotional distress, personal inconvenience, mental and physical pain and suffering, loss of enjoyment of life, due to the violence of the collision and injuries to the Plaintiff's body and nervous system, plus an inability to lead a normal life. As a result of the subject collision, Plaintiff has incurred past medical expenses.

COUNT II – NEGLIGENCE OF DEFENDANT
A & G CHEEMA TRANS, INC.

13.

Plaintiff realleges and incorporates herein by reference paragraphs 1 through 12 above as if they were fully restated verbatim.

14.

At all relevant times, Defendant Bikramjit Singh was an employee and agent of Defendant A & G Cheema Trans, Inc. and Defendant Bikramjit Singh was driving the 2019 Mack tractor/trailer within the course and scope of his employment with A & G Cheema Trans, Inc.

15.

Defendant A & G Cheema Trans, Inc. owned or had an interest in the vehicle negligently driven by Bikramjit Singh.

16.

Defendant Bikramjit Singh was acting in the scope of his employment with A & G Cheema Trans, Inc.

17.

Defendant A & G Cheema Trans, Inc. is liable for the acts and omissions of Defendant Bikramjit Singh as Defendant's agent and employee at the time of the collision-in-suit, under the theory of *respondeat superior*.

18.

Defendant A & G Cheema Trans, Inc. negligently hired, retained, and supervised Defendant Bikramjit Singh.

19.

Defendant A & G Cheema Trans, Inc. negligently entrusted the 2019 Mack tractor/trailer to Defendant Bikramjit Singh when they knew or should have known that its driver was incompetent or unfit to perform the duties given to the driver by the company.

20.

As a direct and proximate result of the aforesaid negligence and breaches of duty by Defendant A & G Cheema Trans, Inc., Plaintiff has suffered significant injuries, medical expenses, and damages. These damages include emotional distress, personal inconvenience, mental and physical pain and suffering, loss of enjoyment of life, due to the violence of the collision and injuries to the Plaintiff's body and nervous system, plus an inability to lead a normal life. As a result of the subject collision, Plaintiff has incurred medical expenses in the amount of \$6,635.00.

Spinal Kinetics	\$ 1,080.00
American Health Imaging	\$ 4,595.00
<u>Dr. John Giovanelli</u>	<u>\$ 960.00</u>
TOTAL	\$6,635.00

PRAYER FOR RELIEF

WHEREFORE, Plaintiff respectfully prays and demands as follows:

- a. That Process and Summons issue, as provided by law, requiring Defendants to appear and answer Plaintiff's Complaint;
- b. That service be had upon Defendants as provided by law;
- c. That Plaintiff have and recover general damages from Defendants, as the jury deems is liable to Plaintiff, and in such an amount as the jury deems just and appropriate to fully and completely compensate Plaintiff for all of their injuries and pain and suffering, mental, physical, and emotional, past, present, and future;
- d. That Plaintiff have and recover from Defendants, special damages for past and future medical expenses and loss of income in the past and future in such an amount as shall be proven at trial;
- e. That this matter be tried to a jury;
- f. That all costs be cast against the Defendants; and
- g. For such other and further relief as this Court deems just and appropriate.

This 9th day of September, 2022.

/s/ Patrick C. Powell
Patrick C. Powell
Georgia Bar No. 180093
Attorney for Plaintiff

MORGAN & MORGAN
777 Gloucester Street
Suite 400
Brunswick, Georgia 31520
Tel: (912) 443-1050

Fax: (912) 443-1110
ppowell@forthepeople.com

GEORGIA, FULTON COUNTY

DO NOT WRITE IN THIS SPACE

STATE COURT OF FULTON COUNTY
Civil Division

CIVIL ACTION FILE #: _____

217 Christina Ct.
Peachtree City, Georgia 30269
Plaintiff's Name, Address, City, State, Zip Code

VS.

A & G Cheema Trans, Inc.

95356

Defendant's Name, Address, City, State, Zip Code

TYPE OF SUIT	AMOUNT OF SUIT
<input type="checkbox"/> ACCOUNT	PRINCIPAL \$ _____
<input type="checkbox"/> CONTRACT	
<input type="checkbox"/> NOTE	INTEREST \$ _____
<input type="checkbox"/> TORT	
<input checked="" type="checkbox"/> PERSONAL INJURY	ATTY. FEES \$ _____
<input type="checkbox"/> FOREIGN JUDGMENT	
<input type="checkbox"/> TROVER	COURT COST \$ _____
<input type="checkbox"/> SPECIAL LIEN	

<input type="checkbox"/> NEW FILING	
<input type="checkbox"/> RE-FILING: PREVIOUS CASE NO. _____	

SUMMONS

TO THE ABOVE NAMED-DEFENDANT:

You are hereby required to file with the Clerk of said court and to serve a copy on the Plaintiff's Attorney, or on Plaintiff if no Attorney, to-wit:

Name: Patrick C. PowellAddress: 777 Gloucester St., Suite 400City, State, Zip Code: Brunswick, Georgia 31520 Phone No.: 912-443-1050

An answer to this complaint, which is herewith served upon you, must be filed within thirty (30) days after service, not counting the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint, plus cost of this action. **DEFENSES MAY BE MADE & JURY TRIAL DEMANDED**, via electronic filing or, if desired, at the e-filing public access terminal in the Self-Help Center at 185 Central Ave., S.W., Ground Floor, Room TG300, Atlanta, GA 30303.

Christopher G. Scott, Chief Clerk (electronic signature)

SERVICE INFORMATION:

Served, this _____ day of _____, 20____.

DEPUTY MARSHAL, STATE COURT OF FULTON COUNTY

WRITE VERDICT HERE:

We, the jury, find for _____

This _____ day of _____, 20____. _____ Foreperson

(STAPLE TO FRONT OF COMPLAINT)

GEORGIA, FULTON COUNTY

DO NOT WRITE IN THIS SPACE

STATE COURT OF FULTON COUNTY
Civil Division

CIVIL ACTION FILE #: _____

217 Christina Ct.
 Peachtree City, Georgia 30269
 Plaintiff's Name, Address, City, State, Zip Code

VS.

Bikramjit Singh

95356

Defendant's Name, Address, City, State, Zip Code

TYPE OF SUIT	AMOUNT OF SUIT
<input type="checkbox"/> ACCOUNT	PRINCIPAL \$ _____
<input type="checkbox"/> CONTRACT	
<input type="checkbox"/> NOTE	INTEREST \$ _____
<input type="checkbox"/> TORT	
<input checked="" type="checkbox"/> PERSONAL INJURY	ATTY. FEES \$ _____
<input type="checkbox"/> FOREIGN JUDGMENT	
<input type="checkbox"/> TROVER	COURT COST \$ _____
<input type="checkbox"/> SPECIAL LIEN	

<input type="checkbox"/> NEW FILING	
<input type="checkbox"/> RE-FILING: PREVIOUS CASE NO. _____	

SUMMONS

TO THE ABOVE NAMED-DEFENDANT:

You are hereby required to file with the Clerk of said court and to serve a copy on the Plaintiff's Attorney, or on Plaintiff if no Attorney, to-wit:

Name: Patrick C. PowellAddress: 777 Gloucester St., Suite 400City, State, Zip Code: Brunswick, Georgia 31520 Phone No.: 912-443-1050

An answer to this complaint, which is herewith served upon you, must be filed within thirty (30) days after service, not counting the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint, plus cost of this action. **DEFENSES MAY BE MADE & JURY TRIAL DEMANDED**, via electronic filing or, if desired, at the e-filing public access terminal in the Self-Help Center at 185 Central Ave., S.W., Ground Floor, Room TG300, Atlanta, GA 30303.

Christopher G. Scott, Chief Clerk (electronic signature)

SERVICE INFORMATION:

Served, this _____ day of _____, 20____.

DEPUTY MARSHAL, STATE COURT OF FULTON COUNTY

WRITE VERDICT HERE:

We, the jury, find for _____

This _____ day of _____, 20____. _____ Foreperson

(STAPLE TO FRONT OF COMPLAINT)

ATTORNEY (Name and Address): Morgan & Morgan 777 Gloucester Street, Suite 400 Brunswick, GA 31520		SBN:	FOR COURT USE ONLY
EMAIL:			
ATTORNEY FOR: Benjamin W Kitchen			
NAME OF COURT, JUDICIAL DISTRICT or BRANCH COURT, IF ANY: State Court of Fulton County, Georgia - Civil Division 185 Central Avenue SW Ground Floor, Suite TG-400 Atlanta, GA 30303			
PLAINTIFF: Benjamin W Kitchen		COURT CASE NO:	22EV005046
DEFENDANT: Bikramjit Singh and A & G Cheema Trans, Inc.			
Proof of Service of Summons		LEVYING OFFICER FILE NO:	2022004575

1. At the time of the service I was at least 18 years of age and not a party to this action.
2. I served copies of the:
 - f. other (specify documents):
Complaint and Demand for Trial by Jury, Plaintiff's First Interrogatories to Defendant A & G Cheema Trans, Inc., Plaintiff's First Request for Production of Documents to Defendant A & G Cheema Trans, Inc., Plaintiff's Request for Admissions to Defendant A & G Cheema Trans, Inc., Summons
3. a. Party Served (specify name of party as shown on documents served):
A & G Cheema Trans, Inc.
 - b. Person (other than the party in item 3a) served on behalf of an entity or as an authorized agent (and not a person under 5b on whom substituted service was made) (specify name and relationship to the party named in item 3a):
Bikramjit Singh, Agent for Service with California Secretary of State
4. Address where party was served:
Sheriff Civil Division
P.O. Box 3288
801 11th Street, Suite 2200
Modesto, CA 95354
5. I served the party:
 - a. by personal service. I personally delivered the documents listed in item 2 to the party or person authorized to receive service of process for the party (1) on: 11/09/2022 at: 9:54 AM.
6. the "Notice to the Person Served" (on the summons) was completed as follows:
 - d. on behalf of (specify): **A & G Cheema Trans, Inc.**
under the following Code of Civil Procedure section: **416.10 (corporation)**
7. Person who served the papers:
 - a. Name: **Legal Clerk II K. Quejado**
 - b. Address: **Sheriff Civil Division, P.O. Box 3288, 801 11th Street, Suite 2200, Modesto, CA 95354**
 - c. Telephone number: **(209) 491-8762**
 - d. The fee for service was: **\$40.00**
8. I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: Thursday, November 10, 2022

by:

Sheriff's Authorized Agent
Jeff Dirkse

ATTORNEY (Name and Address): Morgan & Morgan 777 Gloucester Street, Suite 400 Brunswick, GA 31520		SBN:		FOR COURT USE ONLY	
EMAIL:					
ATTORNEY FOR: Benjamin W Kitchen					
NAME OF COURT, JUDICIAL DISTRICT or BRANCH COURT, IF ANY: State Court of Fulton County, Georgia - Civil Division 185 Central Avenue SW Ground Floor, Suite TG-400 Atlanta, GA 30303					
PLAINTIFF: Benjamin W Kitchen		COURT CASE NO:		22EV005046	
DEFENDANT: Bikramjit Singh and A & G Cheema Trans, Inc.					
Proof of Service of Summons				LEVYING OFFICER FILE NO: 2022004575	

1. At the time of the service I was at least 18 years of age and not a party to this action.
2. I served copies of the:
 - f. other (specify documents):
Complaint and Demand for Trial by Jury, Plaintiff's First Set of Interrogatories and Request for Production of Documents to Defendant Bikramjit Singh, Plaintiff's Request for Admissions to Defendant Bikramjit Singh, Summons
3. a. Party Served (specify name of party as shown on documents served):
Bikramjit Singh
4. Address where party was served:
Sheriff Civil Division
P.O. Box 3288
801 11th Street, Suite 2200
Modesto, CA 95354
5. I served the party:
 - a. by **personal service**. I personally delivered the documents listed in item 2 to the party or person authorized to receive service of process for the party (1) on: 11/09/2022 at: 9:54 AM.
6. the "Notice to the Person Served" (on the summons) was completed as follows:
 - a. as an individual defendant.
7. **Person who served the papers:**
 - a. Name: **Legal Clerk II K. Quejado**
 - b. Address: **Sheriff Civil Division, P.O. Box 3288, 801 11th Street, Suite 2200, Modesto, CA 95354**
 - c. Telephone number: **(209) 491-8762**
 - d. The fee for service was: **\$40.00**
8. I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: Thursday, November 10, 2022

by:



Sheriff's Authorized Agent
Jeff Dirkse

IN THE STATE COURT OF FULTON COUNTY
 STATE OF GEORGIA

BENJAMIN W. KITCHEN,)	
)	
Plaintiff,)	
)	Civil Action File No.: 22EV005046
vs.)	
)	
BIKRAMJIT SINGH and A & G)	
CHEEMA TRANS, INC.,)	
)	
Defendants.)	

DEFENDANT BIKRAMJIT SINGH'S ANSWER AND DEMAND FOR JURY TRIAL

Defendant Bikramjit Singh, hereinafter ("defendant"), by and through counsel of record, files this Answer to plaintiff's Complaint and shows as follows:

FIRST DEFENSE

Plaintiff's failure to specifically state items of special damages sought in this action bars their recovery pursuant to O.C.G.A. § 9-11-9(g).

SECOND DEFENSE

Venue is improper for this defendant.

THIRD DEFENSE

This Court lacks personal jurisdiction over defendant.

FOURTH DEFENSE

Responding to the specific allegations of the numbered paragraphs of plaintiff's Complaint, defendant responds as follows:

1.

Defendant is without sufficient information to either admit or deny the allegations contained within this paragraph of plaintiff's complaint.

2.

Defendant admits the allegations contained within this paragraph of plaintiff's complaint.

3.

Defendant denies that A&G is a Georgia Corporation. A&G is incorporated in the State of California. A&G does not maintain a registered agent, registered office, or principal place of business in Georgia. Defendant is without sufficient information to respond to the remaining allegations contained within this paragraph of plaintiff's complaint.

4.

Defendant denies that venue is proper in Fulton County, Georgia.

5.

Defendant incorporates by reference the responses to paragraphs 1-5 of plaintiff's Complaint.

6.

Defendant admits plaintiff was driving on I-285 on December 17, 2021. A&G is without sufficient information to either admit or deny the remaining allegations contained within this paragraph of plaintiff's complaint.

7.

Defendant admits he was driving an A&G owned vehicle at the time of the incident. Defendant admits to a negligent driving act, but denies the remaining allegations contained within this paragraph of the complaint as stated.

8.

The allegations contained within this paragraph of plaintiff's Complaint contain conclusions of law to which no response is required. To the extent a response is required,

defendant admits he may owe certain duties of care under Georgia law.

9.

Defendant denies the allegations contained within this paragraph of plaintiff's complaint.

10.

Defendant admits to following too close, but denies the remaining allegations contained within this paragraph of plaintiff's complaint as stated.

11.

Defendant admits he was cited within following too close.

12.

Defendant denies the allegations contained within this paragraph of plaintiff's complaint.

13.

Defendant incorporates by reference the responses to paragraphs 1-13 of plaintiff's Complaint.

14.

Defendant admits the allegations contained within this paragraph of plaintiff's complaint.

15.

Defendant admits the allegations contained within this paragraph of plaintiff's complaint.

16.

Defendant admits the allegations contained within this paragraph of plaintiff's complaint.

17.

The allegations contained within this paragraph of plaintiff's Complaint contain conclusions of law to which no response is required. Defendant is without sufficient information

to either admit or deny the allegations contained within this paragraph of plaintiff's complaint.

18.

Defendant denies the allegations contained within this paragraph of plaintiff's complaint.

19.

Defendant denies the allegations contained within this paragraph of plaintiff's complaint.

20.

Defendant denies the allegations contained within paragraph of plaintiff's complaint.

21.

Any allegation, language, or paragraph of plaintiff's Complaint not hereinbefore responded to is specifically denied by defendant.

WHEREFORE, having fully answered plaintiff's Complaint, defendant prays:

- a) that plaintiff's Complaint be dismissed;
- b) that defendant have judgment in his favor;
- c) that defendant have a trial by jury of twelve persons; and
- d) that defendant have all other proper relief.

This 2nd day of December, 2022.

WALDON ADELMAN CASTILLA
HIESTAND & PROUT

/s/ Ben Harbin
Jonathan M. Adelman
(State Bar No. 005128)
Ben Harbin
(State Bar No. 568864)
Attorneys for Defendants

900 Circle 75 Parkway
Suite 1040
Atlanta, Georgia 30339
(770) 953-1710
jadelman@wachp.com
bharbin@wachp.com

CERTIFICATE OF SERVICE

I hereby certify that I electronically filed the foregoing pleading with the Clerk of the Court using an O.C.G.A. § 15-6-11 electronic filing service provider which will automatically send e-mail notification of such filing to the following attorney(s) of record:

Patrick C. Powell
Morgan & Morgan
777 Gloucester Street
Suite 400
Brunswick., GA 31520
ppowell@forthepeople.com

This 2nd day of December, 2022.

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IN THE STATE COURT OF FULTON COUNTY
STATE OF GEORGIA

BENJAMIN W. KITCHEN,

Plaintiff,

vs.

BIKRAMJIT SINGH and A & G

CHEEMA TRANS, INC.,

Defendants.

)
)
)
)
)
)
)
)
)
)

Civil Action File No.: 22EV005046

**DEFENDANT A&G CHEEMA TRANS, INC'S
ANSWER AND DEMAND FOR JURY TRIAL**

Defendant A&G Cheema Trans. Inc., hereinafter ("A&G"), by and through counsel of record, files this Answer to plaintiff's Complaint and shows as follows:

FIRST DEFENSE

Plaintiff's failure to specifically state items of special damages sought in this action bars their recovery pursuant to O.C.G.A. § 9-11-9(g).

SECOND DEFENSE

Venue is improper for defendant A&G.

THIRD DEFENSE

This Court lacks personal jurisdiction over defendant A&G.

FOURTH DEFENSE

Responding to the specific allegations of the numbered paragraphs of plaintiff's Complaint, defendant responds as follows:

1.

A&G is without sufficient information to either admit or deny the allegations contained within this paragraph of plaintiff's complaint.

2.

A&G admits the allegations contained within this paragraph of plaintiff's complaint.

3.

A&G denies that it is a Georgia Corporation. A&G is incorporated in the State of California. A&G does not maintain a registered agent, registered office, or principal place of business in Georgia. A&G admits it may be served under the Georgia Long Arm Statute.

4.

A&G denies that venue is proper in Fulton County, Georgia.

5.

A&G incorporates by reference the responses to paragraphs 1-5 of plaintiff's Complaint.

6.

A&G admits plaintiff was driving on I-285 on December 17, 2021. A&G is without sufficient information to either admit or deny the remaining allegations contained within this paragraph of plaintiff's complaint.

7.

A&G admits defendant Singh was driving an A&G owned vehicle at the time of the incident. A&G is without sufficient information to either admit or deny the remaining allegations contained within this paragraph of plaintiff's complaint.

8.

The allegations contained within this paragraph of plaintiff's Complaint contain conclusions of law to which no response is required. To the extent a response is required, A&G admits its driver may owe certain duties of care under Georgia law.

9.

A&G is without sufficient information to either admit or deny the allegations contained within this paragraph of plaintiff's complaint.

10.

A&G is without sufficient information to either admit or deny the allegations contained within this paragraph of plaintiff's complaint.

11.

A&G is without sufficient information to either admit or deny the allegations contained within this paragraph of plaintiff's complaint.

12.

A&G is without sufficient information to either admit or deny the allegations contained within this paragraph of plaintiff's complaint.

13.

A&G incorporates by reference the responses to paragraphs 1-13 of plaintiff's Complaint.

14.

A&G admits the allegations contained within this paragraph of plaintiff's complaint.

15.

A&G admits it owned the vehicle defendant Singh was driving at the time of the subject incident, but is without sufficient information to admit or deny the remaining allegations contained within paragraph 15 of plaintiff's complaint.

16.

A&G admits the allegations contained within this paragraph of plaintiff's complaint.

17.

The allegations contained within this paragraph of plaintiff's Complaint contain conclusions of law to which no response is required. To the extent a response is required, A&G admits it may owe certain duties of care under Georgia law.

18.

A&G denies the allegations contained within this paragraph of plaintiff's complaint.

19.

A&G denies the allegations contained within this paragraph of plaintiff's complaint.

20.

A&G is without sufficient information to either admit or deny the allegations contained within this paragraph of plaintiff's complaint.

21.

Any allegation, language, or paragraph of plaintiff's Complaint not hereinbefore responded to is specifically denied by defendant.

WHEREFORE, having fully answered plaintiff's Complaint, defendant prays:

- a) that plaintiff's Complaint be dismissed;
- b) that defendant have judgment in his favor;
- c) that defendant have a trial by jury of twelve persons; and
- d) that defendant have all other proper relief.

This 2nd day of December, 2022.

WALDON ADELMAN CASTILLA
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/s/ Ben Harbin

Jonathan M. Adelman
(State Bar No. 005128)

Ben Harbin
(State Bar No. 568864)

Attorneys for Defendants

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Suite 1040
Atlanta, Georgia 30339
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jadelman@wachp.com
bharbin@wachp.com

CERTIFICATE OF SERVICE

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Patrick C. Powell
Morgan & Morgan
777 Gloucester Street
Suite 400
Brunswick., GA 31520
ppowell@forthepeople.com

This 2nd day of December, 2022.

WALDON ADELMAN CASTILLA
HIESTAND & PROUT

/s/ Ben Harbin
Jonathan M. Adelman
(State Bar No. 005128)
Ben Harbin
(State Bar No. 568864)
Attorneys for Defendants

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